

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES	)	
	)	
v.	)	Crim. No. 04-10066-MEL
	)	
JAMIE EDELKIND	)	

**DEFENDANT'S MOTION IN LIMINE**

NOW COMES the defendant and respectfully moves in limine that the government be barred from introducing the following:

1. The conversations recorded between the defendant and his wife. The defendant asserts that said conversations are privileged as private marital conversations. See Rule 501 of the F.R. Evid.; *United States v. Picciandra*, 788 F.2d 39 (1st Cir. 1986). In addition, the defendant asserts that any relevant portion of said conversations is substantially outweighed by unfair prejudice.

2. The plea agreement negotiated in Georgia. The relevant portion of that agreement is covered by Rule 410 (4), statements made in the course of plea discussions, and was made in contemplation of pleading guilty in this case, a plea which did not materialize. In addition, the defendant asserts that any relevant portion of said agreement is substantially outweighed by unfair prejudice.

3. Any prior or subsequent bad acts without the appropriate showing under Rule 404 (b) and Rule 403 of the F.R. Evid.

Respectfully submitted,  
By his attorney,

/s/ Robert Sheketoff  
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